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## FACSIMILE COVER SHEET

DEC 2 2003

DATE: December 2, 2003

OUR REF.:

MTS-3285US

TIME: 3:00 pm

YOUR REF.:

10/008,945

TO:	Daniel J. Jenkins
COMPANY:	USPTO SPECIAL PROCEDURES SUBMISSION
FROM:	Allan Ratner
FAX TELEPHONE:	(703) 872-9306 (CENTRALIZED FAX NO.)
OFFICE TELEPHONE:	(703) 306-4157
TITLE OF DOCUMENT:	PETITION TO WITHDRAW APPLICATION FROM ISSUE

Total Number of Pages: 23 (including this form)

### COMMENTS

*The issue fee was paid on October 23, 2003. The patent has not yet issued.*

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PTO/SB/21 (05-03) (AW 07-03)

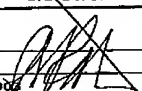
Approved for use through 04/30/2003. OMB 0661-0031

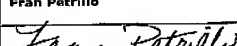
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application No.	10/006,945
	Filing Date	November 7, 2001
	First Named Inventor	Masaru Watanabe, et al
	Art Unit	1742
	Examiner Name	Daniel J. Jenkins
	Attorney Docket	MTS-3285US
Total Number of Pages In This Submission: 9 + 1 ref.		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): RCE, PTO Form 1449, 1 reference, Return Postcard
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature			
Date	December 2, 2003		

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
			December 2, 2003
Name (Print/Type)	Fran Petrillo		
Signature			Date
			December 2, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9198 (1-800-786-9198) and select option 2.

**SPECIAL PROCEDURES SUBMISSION**

**SPECIAL PROCEDURES SUBMISSION**

PTO/SB/17 (10-03) (AW 10/2003)

Approved for use through 7/31/2006. OMB 0661-0032  
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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

**Complete if Known**

Application Number **10/008,945**  
 Filing Date **November 7, 2001**  
 First Named Inventor **Masaru Watanabe et al.**  
 Examiner Name **Daniel J. Jenkins**  
 Art Unit **1742**  
 Attorney Docket No. **MTS-3285US**

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **900.00****METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☒ Other ☐ Nonrecurring

☒ Deposit Account:Deposit Account Number **18-0350**Deposit Account Name **RatnerPrestia**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below  
☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 750	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1)****(\$)** **0****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
10**	0	X	0
Independent Claims	-5	0	X
Multiple Dependent		X	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 80	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 55	2204 43	* Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)****(\$)** **0**

\*\*for number previously paid, if greater; For Reissue, see above

**FEE CALCULATION (continued)**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1612 2,520	1612 2,520	For filing a request for ex parte reexamination	
1604 820*	1604 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1261 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1461 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1806 180	1806 180	Submission of Information Disclosure Sheet	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1909 770	2806 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	770.
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)****(\$)** **900.00****SUBMITTED BY**

Name (Print/Type)

Allan Ratner

Signature

Registration No. Attorney/Agent

19,717

Telephone

(610) 407-0700

Date

December 2, 2003

**Complete (if applicable)**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PTO/SB/30 (05-03) (AW 07/03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**Request for  
Continued Examination (RCE)  
Transmittal**Address to:  
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Alexandria, VA 22313-1450

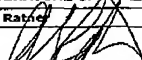
Application Number	10/008,945
Filing Date	November 7, 2001
First Named Inventor	Masaru Watanabe et al.
Art Unit	1742
Examiner Name	Daniel J. Jenkins
Attorney Docket No.	MTS-3285US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114.** Note: If the RCE is proper, any previously filed un-entered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed un-entered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted on \_\_\_\_\_. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.  
iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed  
i. ☐ Amendment/Reply  
iii. ☒ Information Disclosure Statement (IDS)  
ii. ☐ Affidavit(s)/Declaration(s)  
iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(f) required)
- b. ☒ Other Petition To Withdraw Application from Issue.
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge any underpayment, or credit any overpayments, to Deposit Account No. 28-0338.
- i. ☒ RCE fee required under 37 CFR 1.17(e).  
ii. ☐ Extension of Time fee (37 CFR 1.136 and 1.17).  
iii. ☒ Other Petition Under 37 C.F.R. 1.313(c)(2).
- b. ☐ Check in the amount of \_\_\_\_\_ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)


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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Allan Ratner	Registration No. (Attorney/Agent)	19,717
Signature		Date	December 2, 2003

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Name (Print/Type)	Fran Petrillo	Date	December 2, 2003
Signature			

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